

115TH CONGRESS  
1ST SESSION

# H. R. 4294

To amend the Financial Stability Act of 2010 to provide a criminal penalty for unauthorized disclosures of certain individually identifiable information by officers or employees of a Federal department or agency.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2017

Mr. KUSTOFF of Tennessee introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Financial Stability Act of 2010 to provide a criminal penalty for unauthorized disclosures of certain individually identifiable information by officers or employees of a Federal department or agency.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prevention of Private  
5 Information Dissemination Act of 2017”.

1 **SEC. 2. CRIMINAL PENALTY FOR UNAUTHORIZED DISCLO-**  
2 **SURES.**

3 Section 165 of the Financial Stability Act of 2010  
4 (12 U.S.C. 5365) is amended by adding at the end the  
5 following:

6 “(1) **CRIMINAL PENALTY FOR UNAUTHORIZED DIS-**  
7 **CLOSURES.**—

8 “(1) **IN GENERAL.**—Any officer or employee of  
9 a Federal department or agency, who by virtue of  
10 such officer or employee’s employment or official po-  
11 sition, has possession of, or access to, agency records  
12 which contain individually identifiable information  
13 submitted pursuant to the requirements of this sec-  
14 tion, the disclosure of which is prohibited by Federal  
15 statute, rule, or regulation, and who knowing that  
16 disclosure of the specific material is so prohibited,  
17 willfully discloses the material in any manner to any  
18 person or agency not entitled to receive it, shall be  
19 guilty of a misdemeanor and fined not more than  
20 \$5,000.

21 “(2) **OBTAINING RECORDS UNDER FALSE PRE-**  
22 **TENSES.**—Any person who knowingly and willfully  
23 requests or obtains information described under  
24 paragraph (1) from a Federal department or agency  
25 under false pretenses shall be guilty of a mis-  
26 demeanor and fined not more than \$5,000.

1           “(3) TREATMENT OF DETERMINATIONS.—For  
2 purposes of this subsection, a determination made  
3 under subsection (d) or (i) based on individually  
4 identifiable information submitted pursuant to the  
5 requirements of this section shall be deemed individ-  
6 ually identifiable information, the disclosure of which  
7 is prohibited by Federal statute.”.

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